

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LORRETTA GREEN,	§
	§ No. 377, 2008
Respondent Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware
	§ in and for New Castle County
RALPH N. GREEN,	§ File No. CN07-01495
	§ Petition Nos. 07-03157
Petitioner Below-	§ 07-04417
Appellee.	§

Submitted: January 2, 2009
Decided: January 21, 2009

Before **STEELE**, Chief Justice, **JACOBS** and **RIDGELY**, Justices.

ORDER

This 21st day of January 2009, it appears to the Court that, on November 24, 2008, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to diligently prosecute the appeal by not filing the opening brief and appendix. The appellant has failed to respond to the notice to show cause within the required ten-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 3(b) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice